



Community Development Department

BISMARCK PLANNING AND ZONING COMMISSION MEETING AGENDA March 24, 2010

Tom Baker Meeting Room

5:00 p.m.

City-County Building

Item No.

Page

MINUTES

1. Consider the approval of the minutes of the February 24, 2010 meeting of the Bismarck Planning and Zoning Commission.

CONSENT AGENDA

CONSIDERATION

The following items are requests for public hearings.

2. **Buffalo Jump Addition – Zoning Change (JT)** 1
Staff recommendation: schedule a hearing ☐schedule a hearing ☐table ☐deny
3. **FP Floodplain District – Zoning Ordinance Text Amendment (Klee)**..... 5
Staff recommendation: schedule a hearing ☐schedule a hearing ☐table ☐deny

REGULAR AGENDA

FINAL CONSIDERATION/PUBLIC HEARINGS

The following items are requests for final action and forwarding to the City Commission.

4. **HM Medical Facility District – Zoning Ordinance Text Amendment (Klee)**.....29
Staff recommendation: approve ☐approve ☐continue ☐table ☐deny
5. **ETA Phase 10-01 – Zoning Change (County A and R1 to City A and RR) (Klee)**.....33
Staff recommendation: approve ☐approve ☐continue ☐table ☐deny

Bismarck-Burleigh County Community Development Department

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OTHER BUSINESS

6. Other

ADJOURNMENT

7. **Adjourn.** The next regular meeting date is scheduled for Wednesday, April 28, 2010.

Enclosure: Minutes of the February 24, 2010 meeting
Major Building Permits Report for February 2010
Building Permit Activity Report for February 2010

BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT STAFF REPORT

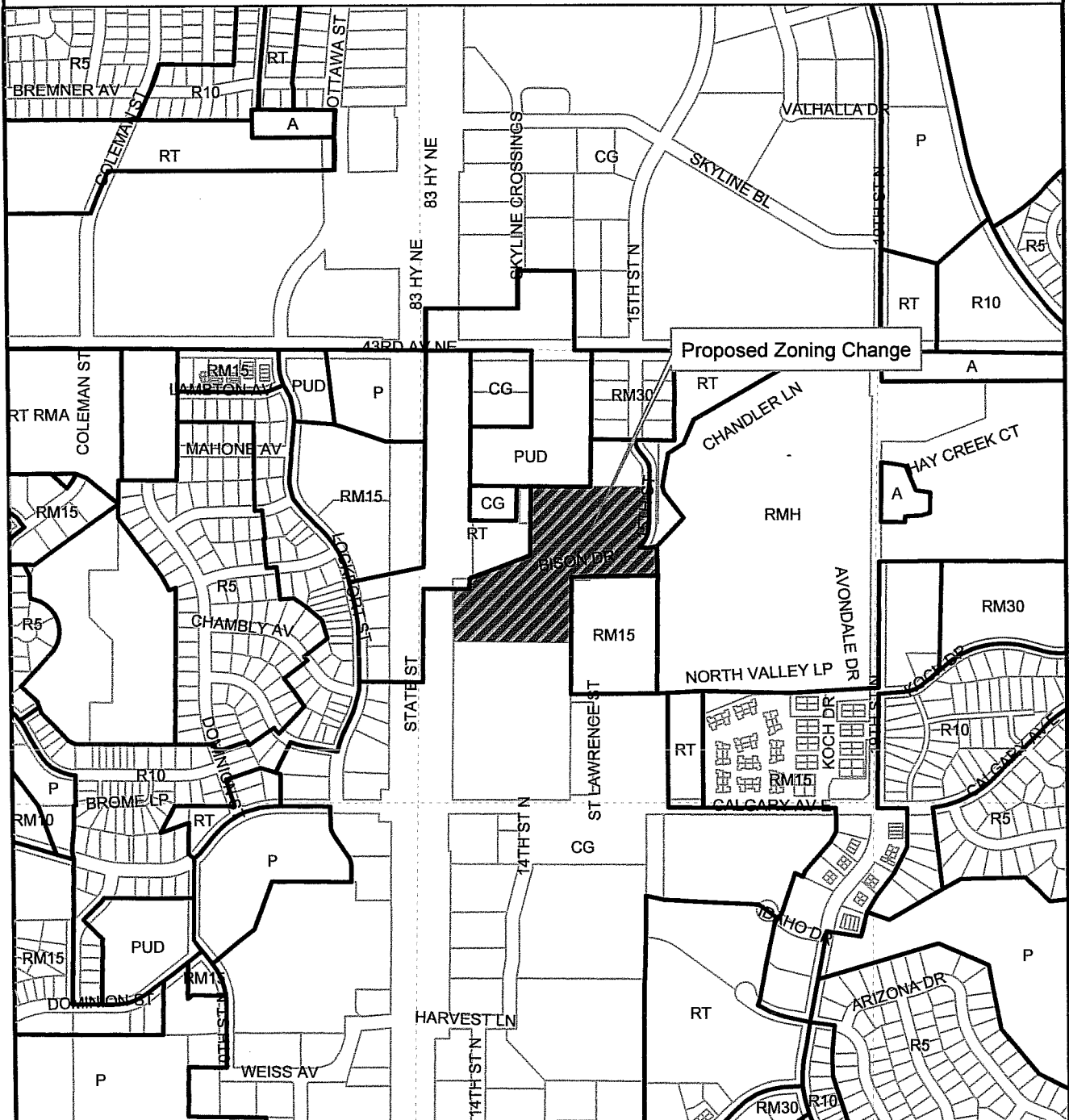
BACKGROUND:		
Title: Buffalo Jump Addition – Zoning Change (CG and RMH to CG)		
Status: Planning Commission – Consideration	Date: March 24, 2010	
Owner(s): Metro Office Park, LLC & Mitzel Builders, Inc.	Engineer: Bartlett & West	
Reason for Request: Plat and rezone property for future development.		
Location: Along the east side of US Highway 83 between Calgary Avenue and 43 rd Avenue. (A replat of lots 5-7, Block 1, Capital Electric Headquarters Addition and an unplatted portion of the NW ¼ of Section 22, T139N - R80W/Hay Creek Township)		
Project Size: 14.55 acres	Number of Lots: 5 lots in 2 blocks	
EXISTING CONDITIONS:		
Land Use: Undeveloped	PROPOSED CONDITIONS:	
Zoning: CG and RMH	Land Use: Commercial development	
Uses Allowed: CG - General commercial, multi-family dwellings, office uses and RMH - single-family manufactured homes on rented lots.	Zoning: CG – Commercial	
Uses Allowed: General commercial, multi-family dwellings and office uses.	Maximum Density Allowed: 42 units per acre	
Maximum Density Allowed: 42 units per acre	PROPERTY HISTORY:	
Zoned: Part – 12/2003 Part – 07/2007 (Capital Electric)	Platted: Part – 07/2007 (Capital Electric)	Annexed: Pre-1980
FINDINGS:		
<ol style="list-style-type: none"> 1. The area being proposed for a zoning change is not identified in the Bismarck-Mandan Future Land Use Plan; however, the zoning change request is appropriate as a portion of the lot is currently zoned CG and the request is to ensure one contiguous CG zoning district for the entire parcel. 2. The proposed zoning change is compatible with adjacent land uses. Adjacent land uses include commercial development to the south, undeveloped land currently zoned CG and RMH to the south and southeast, and office and commercial development to the north and west. 3. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established; in particular the land is being re-platted to accommodate future development of the property. 4. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the new zoning classification at the time the property is developed. 		
<i>findings continued...</i>		

5. The proposed zoning change would not adversely affect property in the vicinity.
6. The proposed zoning change is consistent with the general intent and purposed of the land development code.
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and planning practice.

RECOMMENDATION:

Based on the above findings, staff recommends scheduling a public hearing for the proposed zoning change from RMH to CG for Lot 4, Block 1, Buffalo Jump Addition.

Proposed Zoning Change (RMH and CG to CG) **Buffalo Jump Addition**



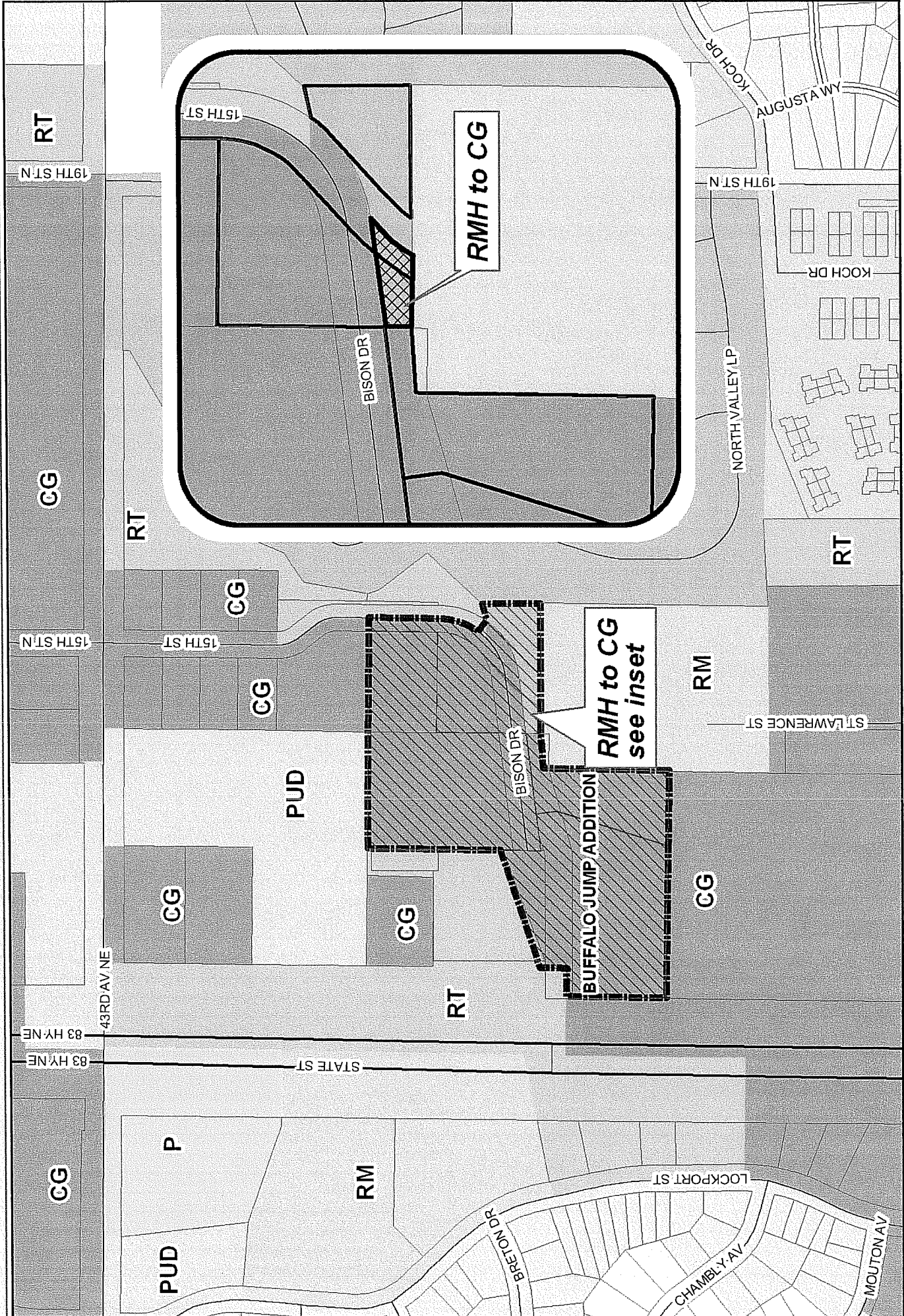
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
 Map was Updated/Created: March 17, 2010 (kalg)

Source: City of Bismarck

N

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Buffalo Jump Addition - Zoning Change RMH to CG



CITY OF BISMARCK

Ordinance No. XXXX

First Reading _____

Second Reading _____

Final Passage and Adoption _____

Publication Date _____

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-04-19 OF THE BISMARCK CODE OF ORDINANCES (REV.) RELATING TO THE FP FLOODPLAIN DISTRICT.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-04-09 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the FP Floodplain District is hereby amended and re-enacted to read as follows:

14-04-19. FP Floodplain District. In any FP floodplain district, the following regulations shall apply:

1. Statement of purpose. It is the purpose of this ordinance (section) to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

a. To protect human life and health;

b. To minimize expenditure of public money for costly flood control projects; ~~and~~

c. To minimize the need for rescue and relief efforts associated with flooding, and generally undertaken at the expense of the general public;

d. To minimize prolonged business interruptions;

e. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges located in special flood hazard areas;

f. To help maintain a stable tax base by providing for the second use and development of special flood hazard areas so as to minimize future flood blight areas;

eg. To ensure that potential buyers are notified that property is in an area of a special flood hazard area-; and

h. To ensure that those who occupy the special flood hazard areas assume responsibility for their actions.

2. Methods of reducing flood losses. In order to accomplish its purposes, this ordinance (section) includes methods and provisions for:

a. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

b. Requiring that uses vulnerable to floods, including attendant utilities and facilities which serve such uses, be protected against flood damage at the time of initial construction;

c. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

d. Controlling filling, grading, dredging, and other development which may increase flood damage; and

e. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

23. Definitions. Unless specifically defined below, words or phrases used in this ordinance (section) shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance (section) its most reasonable application.

"Appeal" means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance (section) or a request for a variance.

"Attendant utilities and equipment" means utilities, electrical, plumbing, heating, ventilation, and air conditioning equipment, as well as facilities and service associated with new construction.

"Base flood or 100-year flood" means the flood having a one per cent (1%) chance of being equaled or exceeded in any given year.

"Base flood elevation (BFE)" means the height of the base flood or 100-year flood, usually in feet above mean sea level.

"Basement" means any area of a building having its floor below ground level (subgrade) on all sides.

"Best available data (BAD)" means water elevation information from any source used to estimate or determine the base flood elevation (ie, high water mark).

"Conveyance or hydraulic conveyance" means a geometric characteristic of a river or watercourse at a given point that determines the flow-carrying capacity at that point.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard area.

"Fill" means materials such as soil, gravel, or crushed stone that is placed in an area to increase ground elevations.

"Flood or flooding" means a general and temporary condition ~~of~~ of partial or complete inundation of normally dry land areas from:

a. ~~The~~ The overflow of inland or tidal waters
; and/or

b. ~~The~~ The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood insurance rate map" (FIRM)" means the official map ~~on which~~ issued by the Federal Emergency Management Agency (FEMA) has delineated both the areas of where special flood hazards areas and the risk premium zones applicable to the community are designated as Zone A, AE, AO, AH, A1-A30 or A-99.

"Flood insurance study (FIS)" means the official report provided by the Federal Emergency Management Agency (FEMA) that includes flood profiles, the flood ~~boundary-floodway~~ insurance rate map, and the water surface elevation of the base flood.

"Floodplain or flood-prone area" means any land area susceptible to partial or complete inundation by water from any source.

"Floodplain Administrator" means the person designated by the City of Bismarck to administer the City's floodplain ~~district~~ regulations.

"Floodproofing (Dry)" means protection provided a structure, together with attendant utilities and sanitary facilities, which is watertight to two (2) feet above the base flood elevation with walls that are substantially impermeable to the passage of water.

"Floodway or regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

"Letter of Map Revision (LOMR)" means an official amendment to the currently effective flood insurance rate map (FIRM). It is issued by FEMA and changes flood zones, delineations and elevations. A Letter of Map Revision Based on Fill (LOMR)(f) is a LOMR issued by FEMA based on the placement of fill.

~~"Lowest floor" means the lowest floor of the lowest enclosed area a structure including the basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable requirements of this ordinance.~~

"Manufactured home" means a structure that is transportable in one or more sections, which is built on a permanent chassis, and is designed to be used for use with or without a permanent foundation when connected to the required utilities. It includes recreational vehicles or travel trailers placed on a site for more than 180 consecutive days. The term "manufactured home" does not include a recreational vehicle, but does include a mobile home.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"New construction" means structures for which the "start of construction" commenced on or after the effective date of this ordinance (section) *(include original date of adoption)*.

"Non-residential" means any building or structure or portion thereof that is not classified as residential.

"Reasonably safe from flooding" means base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area, and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

"Recreational vehicle" means a vehicle which is built on a single chassis; four hundred (400) square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal uses. Recreational vehicles include, but are not limited to, travel trailers, trailers on wheels, park-model trailers and other similar vehicles.

"Residential" means:

a. buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;

b. residential structures, including but not limited to one and two-family dwellings, multifamily dwellings, group dwellings, bed and breakfast facilities, hotels and motels; and

c. Institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, nursing homes, group homes, congregate care facilities, hospitals, jails and detention centers.

~~"Area of s~~Special flood hazard area (SFHA)" means the an area of land in the floodplain within a community subject to that would be inundated by a flood having a one per cent (1%) ~~or greater chance of flooding of being~~ equaled or exceeded in any given year (100-year flood).

"Start of construction" includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as

clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

"Storage tank" means any closed vessel used to store gases or liquids.

"Structure" means a walled and roofed building, including manufactured homes and gas or liquid above-ground storage tanks that is principally above ground.

" Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the building to its pre-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

"Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either: before the improvement or repair is started; or if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variance" means a grant of relief from the requirements of this ordinance (section) which permits construction in a manner that would otherwise be prohibited by this ordinance (section).

34. General provisions.

a. Jurisdiction. ~~The jurisdiction of t~~This ordinance (section) shall apply to all special flood hazard areas within the jurisdiction of the City of Bismarck, includ~~esing~~ing all lands within the corporate limits of the City of Bismarck and the extraterritorial jurisdiction as provided for in Section 40-47-01.1 of the North Dakota Century Code ~~that would be inundated by a 100-year flood.~~

b. Basis for establishing the areas—of special flood hazard areas. The ~~areas—of~~ special flood hazard areas identified by the Federal Emergency Management Agency in a scientific and engineering report titled "The Flood Insurance Study for Burleigh County, North Dakota and Incorporated Areas", dated July 19, 2005, with an accompanying flood insurance rate map is hereby adopted by reference and declared to be a part of this ordinance (section). The Flood Insurance Study is on file in the office of the Floodplain Administrator.

c. Compliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance (section) and other applicable regulations.

d. Greater restrictions. This section is not intended to repeal, remedy, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance (section) and another ordinance (section), easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

e. Interpretation. In the interpretation and application of this ordinance (section), all provisions shall be:

1) Considered as minimum requirements;

2) Liberally construed in favor of the governing body; and

~~available from a federal, state, or other source, in order to administer this ordinance in accordance with its purpose and intent. (moved to Section 5)~~

~~h. Interpretation of FIRM boundaries. Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards, (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. (moved to Section 5)~~

~~i. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. All variances shall be issued by the board of adjustment. (moved to Section 7)~~

jg. Letter of Map Revision (LOMR). Development on any parcel for which a Letter of Map Revision (LOMR) has been issued shall comply with all of the requirements and recommendations as contained therein.

45. Establishment of development permit Administration.

a. Establishment of a development permit. A development permit shall be obtained before construction or development begins within any area of special flood hazard area. Application for a development permit shall be made on forms furnished by the Floodplain Administrator ~~who will administer this ordinance and issue all permits hereunder.~~ Application and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;

2) Elevation in relation to mean sea level to which any structure has been floodproofed;

3) Certification by a registered professional engineer or architect that the floodproofing methods for any non-residential structure meet the floodproofing criteria of this ordinance (section); and

4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

b. Establishment of a non-structural development permit. A non-structural development permit shall be obtained before any land disturbing activity begins within any special flood hazard area. Application for a non-structural development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; proposed elevations upon completion of the land disturbing activity; the type of fill being used, if fill is proposed; and a description of the extent to which any watercourse will be altered or relocated as a result of proposed land disturbing activity.

c. Designation of the Floodplain Administrator. The Building Official is hereby appointed to administer and implement this ordinance (section) by granting or denying development permit and non-structural development permit applications in accordance with its provisions.

bd. Duties and Responsibilities of the Floodplain Administrator. Duties of the Floodplain Administrator shall include, but not be limited to:

1) Permit review÷

1a) Review all development permits and non-structural development permits to determine that the permit requirements of this ordinance (section) have been satisfied.

2b) Review all development permits and non-structural development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.

3c) Review all development permits and non-structural development permits to determine if the proposed development or land disturbing activity is located in the floodway. If located in the floodway, assure that the encroachment provisions of this ordinance (section) are met.

e.2) Use of other base flood data. When base flood elevation data has not been provided in accordance with subsection 4 (b) (basis for establishing the special flood hazard areas), the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data available from a federal, state or other source, as criteria for requiring that new construction, substantial improvements, or other development in the floodplain are administered in accordance with subsection 6(b) (specific standards).

3) Information to be obtained and maintained:

1a) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

2b) For all new or substantially improved floodproofed structures:

ai) Verify obtain and record the actual elevation (in relation to mean sea level) to which the structure has been floodproofed;
and

bii) Maintain the floodproofing certifications required hereunder.

c) Maintain for public inspection all records pertaining to the provisions of this ordinance (section).

4) Alteration of watercourses. In case of alteration of watercourses, the Floodplain Administrator will shall:

1a) Notify adjacent nearby communities, water resource districts, and the North Dakota state engineer, as necessary, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

2b) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished;
and

c) Notify the appropriate water resource district prior to removal or placement of fill within two hundred (200) feet of the bank of a body of water during normal flow or stage.

5) Interpretation of Flood Insurance Rate Map (FIRM) boundaries. Make interpretation where needed, as to the exact location of the boundaries of the special flood hazard areas (for example, where there appears to be a conflict between a mapped

boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in subsection 7 (variance procedure).

56. Provisions for flood hazard reduction.

a. General standards. In all areas—of special flood hazards areas the following standards are required:

1) Anchoring÷

a) All construction and substantial improvements, including additions, shall be anchored to prevent flotation, collapse or lateral movement of the structure.

b) All manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable ~~S~~state and local anchoring requirements for resisting wind forces.

2) Construction materials and methods÷

a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;

b) All new construction and substantial improvements shall be constructed ~~utilizing~~ using methods and practices that minimize flood damage÷; and

c) All new construction and substantial improvements shall be constructed with electrical, heating,

ventilation, plumbing and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Such facilities shall be located in areas that have been elevated on fill to at least two (2) feet above the base flood elevation for residential structures and manufactured homes.

3) Utilities÷

a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system÷;

b) All ~~N~~new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and

c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4) Subdivision proposals÷

a) All subdivision proposals shall be consistent with the need to minimize flood damage;

b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

d) Base flood elevation data shall be provided for all subdivision proposals and other proposed developments. Elevation data must be provided in NAVD88 for areas with a Flood Insurance Rate Map or other base flood elevation data in that datum.

b. Specific standards. In all areas of special flood hazards areas where base flood elevation data ~~has~~ have been provided as set forth in subsection 4(b) (basis for establishing the special flood hazard areas) or subsection 5(d) (2) (use of other base flood data), the following provisions are required:-:

1) Residential construction+. New ~~E~~construction and substantial improvement of any residential structure shall have the lowest floor, including basement or crawl space, elevated on fill to a minimum of one ~~(1) foot at least two (2) feet~~ above the base flood elevation, ~~and shall:-.~~

a) ~~Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyance. Fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting requirement must either be certified by registered professional engineer or architect or must meet or exceed the following minimum criteria:-~~

i. ~~A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;~~

ii. ~~The bottom of all openings shall be no higher than one foot above grade;~~

~~iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.~~

2) Nonresidential construction. Construction and substantial improvement of any ~~commercial, industrial or other~~ nonresidential structure shall either have the lowest floor, including basement or crawl space, elevated on fill to a minimum of one (1) foot at least two (2) feet above the base flood elevation or, together with attendant utility and sanitary facilities, shall:

a) Be floodproofed to at least two (2) feet above the base flood elevation, so that below this elevation the structure is watertight with walls substantially impermeable to the passage of water;

b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. ~~Fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting requirement must either be certified by registered professional engineer or architect or must meet or exceed the following minimum criteria:~~

~~i. A minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided;~~

~~ii. The bottom of all openings shall be no higher than one (1) foot above grade;~~

~~iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters; and~~

c) Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the permitting official Floodplain Administrator.

3) Manufactured homes.

a) Manufactured homes shall be anchored in accordance with this subsection 6(a)(1).

b) All manufactured homes or those to be substantially improved shall be elevated on compacted fill a permanent foundation such that the lowest floor of the manufactured home is elevated on fill a minimum of one (1) foot to at least two (2) feet above the base flood elevation and is securely anchored as specified elsewhere in this section to an adequately anchored foundation system.

4) Attached garages, decks and landings providing primary access, and accessory buildings.

a) Garages attached to any residential structure, non-residential structure or manufactured home shall be subject to the same construction requirements as the residential structure, non-residential structure or manufactured home to which it is attached.

b) Decks and landings providing access to the primary entrance of a residential structure, non-residential

structure or manufactured home shall be subject to the same construction requirements as the residential structure, non-residential structure or manufactured home to which is provides access.

c) Accessory buildings over one hundred twenty (120) square feet in area for residential structures, non-residential structures and manufactured homes shall be subject to the same construction requirements as the residential structure, non-residential structure or manufactured home to which it is accessory.

4c. Floodways. Located within areas of the special flood hazard areas established in subsection 4(b) (basis for establishing the special flood hazard areas) are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

a1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

b2) If the preceding subsection is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this ordinance subsection 6 (provisions for flood hazard reduction).

7. Variance procedure.

a. Appeal board.

2) The Board of Adjustment shall hear and decide appeals and requests for variances from the requirements of this ordinance (section).

3) The Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance (section).

4) Those aggrieved by the decision of the Board of Adjustment, or any taxpayer, may appeal such decision to District Court as provided in NDCC Section 40-47.11.

5) In passing upon such application, the Board of Adjustment shall consider all technical evaluations, all relevant factors, and standards specified in this ordinance (section); and

a) The danger that materials may be swept onto other lands to the injury of others;

b) The danger to life and property due to flooding or erosion damage;

c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

d) The importance of the services provided by the proposed facility to the community;

e) The necessity to the facility of a waterfront location, where applicable;

f) The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;

g) The compatibility of the proposed use with the existing and anticipated development;

h) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

i) The safety of access to the property in times of flood for ordinary and emergency vehicles;

j) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and

k) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

6) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided items outline in subsection (7)(a)(4) of this ordinance (section) have been fully considered. As the lot size increases beyond one-half (1/2) acre, the technical justification required for issuing the variance increases.

7) Upon consideration of the factors of in subsection(7)(a)(4) and the purposes of this ordinance (section), the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to

further the purpose of this ordinance (section).

8) The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

b. Conditions for variances.

1) Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this subsection.

2) Variances shall not be issued within the identified floodplain if any increase in flood levels during the base flood discharge would result.

3) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

4) Variances shall only be issued upon:

a) A showing of flood and sufficient cause;

b) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

c) A determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

5) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation and that the cost of insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

8. Penalties for Violations. Penalties for violation of this ordinance (section) shall be in accordance with the provisions of Chapter 14-05 (Enforcement) of the City Code of Ordinances.

(Ord. 4137, 5-26-87; Ord. 4737, 11-14-95; Ord. 4948, 10-13-98; Ord. 5037, 03-14-00; Ord. 5259, 05-27-2003; Ord. 5423, 05-24-05; Ord. 5728, 05-26-09)

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance shall take effect following final passage and adoption.

CITY OF BISMARCK

Ordinance No. XXXX

First Reading _____

Second Reading _____

Final Passage and Adoption _____

Publication Date _____

AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS 14-04-09 OF THE BISMARCK CODE OF ORDINANCES (REV.) RELATING TO THE HM MEDICAL FACILITY DISTRICT.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-04-09 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the HM Medical Facility District is hereby amended and re-enacted to read as follows:

14-04-09. HM Medical Facility District.

* * * * *

6. Lot coverage. Residential and commercial use.

a. Residential use. The ground area of the principal building and all accessory buildings shall not exceed fifty (50) per cent of the total lot area. In computing the ground coverage, sufficient area shall be added to the actual area of the buildings to provide off-street parking spaces as required by Section 14-03-10 of this ordinance, if such spaces are not furnished within a building.

b. Commercial use or commercial and residential uses. The ground area occupied by the principal building and accessory building shall not exceed seventy-five (75) per cent of the area of the lot. In computing the ground coverage of a building, sufficient area shall be added to the coverage of said building for off-street parking space as required by Section

14-03-10 if such spaces are not furnished within the building.

Exception. Upon presentation of a site plan indicating building locations, sizes, design and other land uses, the board of adjustment may adjust lot coverage up to one hundred (100) per cent of the lot.

7. Front yard. ~~For any use in this district there shall be no less than a fifteen-foot setback, except as may be allowed under provisions of subsection 6(b) of these district regulations.~~ There is no minimum front yard setback, unless the property is immediately adjacent to a residentially-zoned property, in which case the minimum front yard setback shall be fifteen (15) feet.

8. Side yards. A lot on which is erected a residential structure shall have two (2) side yards, one on each side of the principal building. The sum width of the two (2) side yards shall not be less than twenty (20) per cent of the average width of the lot. In no case shall the side yard be less than six (6) feet. On any lot on which the principal building is designed and used for nonresidential use, no side yards shall be required except where such lot is located adjacent to a residential district in which case that side adjoining such residential district shall comply with the side yard requirement of such residential district. Commercial buildings of wood and unprotected metal shall have side yards, complying with the requirements of the city building code, Chapter 4-02 of the Code of Ordinances of the City of Bismarck. ~~In no case shall a structure be located less than fifteen (15) feet from any street on a corner lot.~~ All side yards are subject to variance under provisions of subsection 6(b) of this district regulation.

9. Rear yards. Each lot shall have a rear yard not less than ten (10) feet in depth, except as may be allowed under provisions of subsection 6(b) of this district regulation. Provided, however, that where the rear of a lot adjoins an alley, no rear yard shall be required for a principal non-residential building.

10. Height limit. No nonmedical principal building shall exceed fifty (50) feet in height; no accessory building shall exceed twenty-five (25) feet in height. Buildings housing more than fifty (50) per cent occupants

whose uses fall within health-medical group uses in excess of fifty (50) feet in height may not be located within one hundred (100) feet of a single- or two-family dwelling in a residential zoning district.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance shall take effect following final passage and adoption.

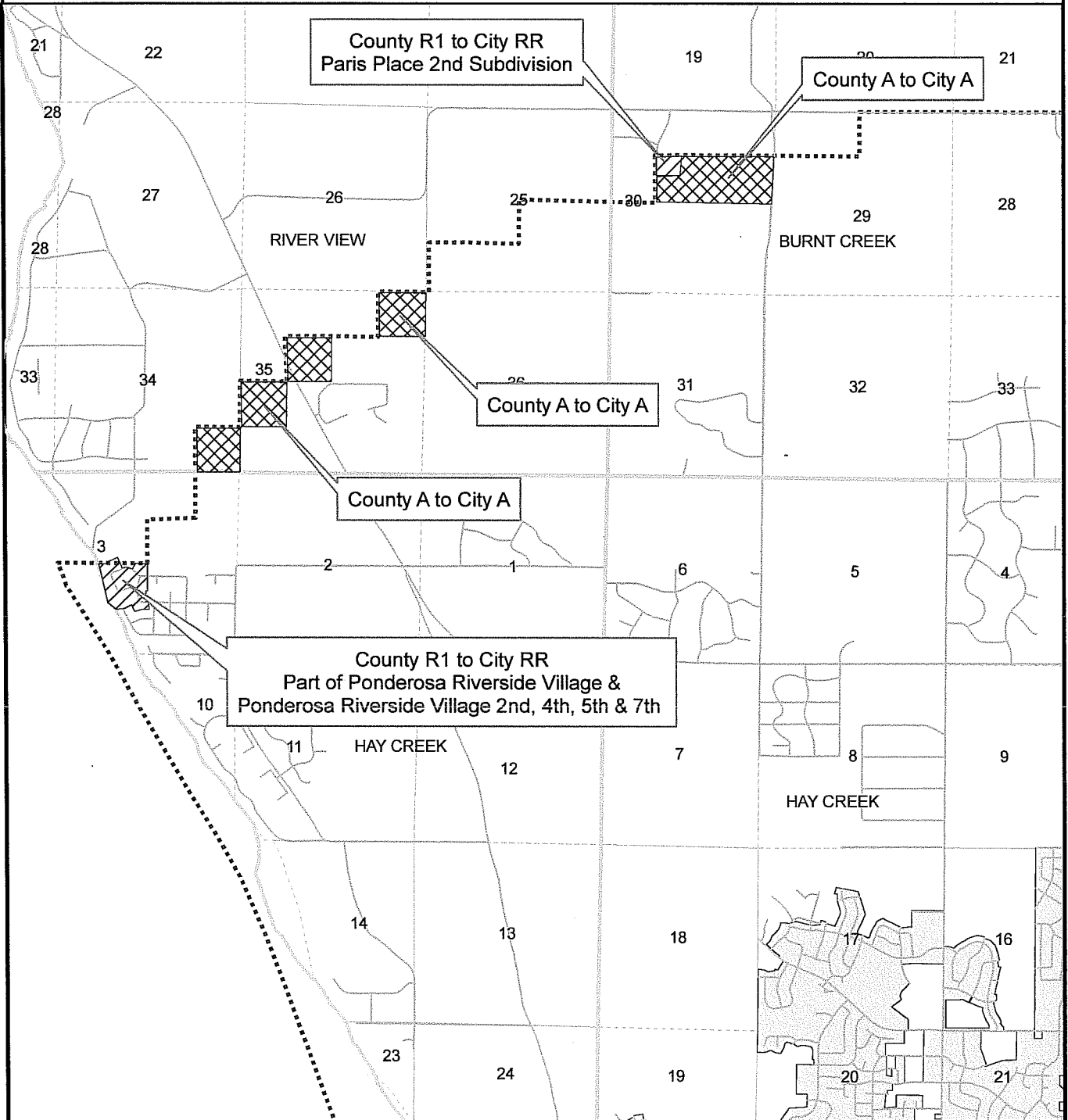
BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT STAFF REPORT

BACKGROUND:	
Title: ETA Phase 10-1 – Zoning Change (County A & County R1 to City A & RR)	
Status: Planning Commission – Public Hearing	Date: March 24, 2010
Owner(s): Various Owners (City-initiated Rezoning)	Engineer: N/A
Reason for Request: Change zoning of land from Burleigh County zoning classifications to City zoning classifications in conjunction with expansion of the City's extra-territorial jurisdiction.	
Location: West Hay Creek, Riverview and Burnt Creek Townships	
Project Size: 6 quarter-quarter sections and part of another quarter-quarter section (250 acres) and 45 acres (approximately) of platted property	Number of Lots: N/A
EXISTING CONDITIONS:	
Land Use: Agriculture and Rural Residential	PROPOSED CONDITIONS:
Land Use: Agriculture and Rural Residential	Land Use: Agricultural and Rural Residential
Zoning: County A – Agricultural County R1 – Country Homes Residential	Zoning: City A - Agricultural City RR – Residential
Uses Allowed: County A – Agriculture and rural residential County R1 – Rural residential	Uses Allowed: City A – Agriculture and rural residential City RR – Rural residential
Maximum Density Allowed: County A – 1 unit per 40 acres County R1 – 65,000sf minimum lot size	Maximum Density Allowed: City A – 1 unit per 40 acres City RR – 65,000sf minimum lot size
PROPERTY HISTORY:	
Zoned: N/A	Platted: N/A
FINDINGS:	
<ol style="list-style-type: none"> 1. The proposed zoning changes are needed to convert the existing Burleigh County zoning to equivalent City zoning for those portions of West Hay Creek, Riverview and Burnt Creek Townships that are within the extended 4-mile ETA. 2. The proposed zoning changes would not adversely impact or change the character of the area. 3. The proposed zoning changes would not place an undue burden on public services. 4. The proposed zoning changes are consistent with adopted plans, policies and accepted planning practice. 	
RECOMMENDATION:	
Based on the above findings, staff recommends approval of the City-initiated zoning change from Burleigh County R1-Country Homes Residential and A-Agricultural zoning classifications to City RR-Residential and A-Agricultural zoning classifications in conjunction with expansion of the City's extra-territorial jurisdiction as shown on the attached table and map.	

**ETA PHASE 10-01
CITY-INITIATED ZONING CHANGES**

Township/Section	Plats (if any)	Current Zoning	Proposed Zoning
<i>West Hay Creek Township</i>			
Section 3 – Platted – N½ of SW¼	Ponderosa Riverside Village (part) – L2-5, B6 & L5-8, B14	R1	RR
	Ponderosa Riverside Village 2 nd (part) – L1-10, B15; L1-7, B16; & L9-11, B17	R1	RR
	Ponderosa Riverside Village 4 th (part) – L1, B1	R1	RR
	Ponderosa Riverside Village 5 th (all) – L1, B1	R1	RR
	Ponderosa Riverside Village 7 th (part) L1 & 2, B1	R1	RR
<i>Riverview Township</i>			
Section 34– SE¼ of SE¼		A	A
Section 35 – NE¼ of NE¼		A	A
SE¼ of NW¼		A	A
NW¼ of SW¼		A	A
<i>Burnt Creek Township</i>			
Section 30 – S½ of NE¼		A	A
Platted–SE¼ of NW¼	Paris Place 2 nd Subdivision – L1, B2	R1	RR
Unplatted SE¼ of NW¼		A	A

Proposed Zoning Change for Extension of 4-mile ETA Hay Creek, Burnt Creek and Riverview Townships County A and R1 to City A and RR



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.
Map was Updated/Created: March 11, 2010 (Klee)

Source: City of Bismarck



1:50000

CITY PLANNING & ZONING COMMISSION
MEETING MINUTES
February 24, 2010

The Bismarck Planning & Zoning Commission met on February 24, 2010, at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5th Street. Chairman Yeager presided.

Commissioners present were Mark Armstrong, Mel Bullinger, Jack Hegedus, Curt Juhala, Ken Selzler, Elden Spier and Wayne Yeager.

Commissioners Jo Conmy, Doug Lee, Lisa Waldoch and John Warford were absent.

Staff members present were Carl Hokenstad – Director of Community Development, Gregg Greenquist – Planner, Kim Lee – Planning Manager, Jason Tomanek – Planner, Kimberley Gaffrey – Office Assistant III and Charlie Whitman – City Attorney.

Others present were Jake Axtman – Swenson, Hagen & Co., Bob Vander Vorst – Design Investments, LLC, Dan Schmaltz – Metro Office Park, John Lanahan – The Philipsborn Co., Joe Cichy – 115 North 4th Street, Bismarck, Darin Schafer – Barlett & West, Inc. and Mary Jane Schmaltz – 3148 Manitoba Lane, Bismarck.

MINUTES

Chairman Yeager called for consideration of the minutes of the January 27, 2010 meeting.

MOTION: Commissioner Hegedus made a motion to approve the minutes of the January 27, 2010 meeting as received. Commissioner Spier seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Hegedus, Juhala, Selzler, Spier and Yeager voting in favor of the motion.

CONSIDERATIONS –

**ZONING CHANGE FROM A-AGRICULTURAL TO R5-RESIDENTIAL AND
PRELIMINARY PLAT – BOULDER RIDGE SECOND ADDITION**

PRELIMINARY L PLAT – BUFFALO JUMP ADDITION

ZONING ORDINANCE TEXT AMENDMENT – HM MEDICAL FACILITY DISTRICT

**ZONING CHANGE FROM COUNTY A-AGRICULTURAL AND R1-COUNTRY
HOMES RESIDENTIAL TO CITY A-AGRICULTURAL AND RR-RURAL
RESIDENTIAL – ETA PHASE 10-1**

Chairman Yeager called for consideration of the following consent agenda items:

- A zoning change from A-Agricultural to R5-Residential and preliminary plat for Boulder Ridge Second Addition. The property is 79 lots in 8 blocks on 34 acres located in north Bismarck, east of North Washington Street and North of 43rd Avenue (part of the SW¼ of Section 16, T139N-R80W/Hay Creek Township).

- A preliminary plat for Buffalo Jump Addition. The property is 5 lots in 2 blocks on 14.55 acres located along the east side of US Highway 83 between Calgary Avenue and 43rd Avenue (a replat of Lots 5-7, Block 1, Capital Electric Headquarters Addition and an unplatted portion of the NW¼ of Section 22, T139N - R80W/Hay Creek Township).
- A zoning ordinance text amendment relative to the HM Medical Facility District. The proposed ordinance would modify the front yard setback requirements.
- A zoning change from County A-Agricultural and County R1-Country Homes Residential to City A-Agricultural and City RR-Rural Residential for ETA Phase 10-1. The property is in West Hay Creek, Riverview and Burnt Creek Townships.

MOTION: Commissioner Hegedus made a motion to approve the consent agenda. Commissioner Juhala seconded the motion and it was unanimously approved with Commissioners Armstrong, Bullinger, Hegedus, Juhala, Selzler, Spier and Yeager voting in favor of the motion.

OTHER BUSINESS

John Lanahan with Philipsborn Company said he has been working with Metro Office Park, LLC for approximately seven months on a proposed hotel project for the area being platted as Buffalo Jump Addition. Mr. Lanahan stated the Holiday Inn franchise has been secured with an approval for a 120 to 140 room, full service hotel with a pool, conference facilities, a restaurant and lounge. Mr. Lanahan went on to say the investors have also been secured and are to the point where construction could be started by summer providing the land is properly platted. Mr. Lanahan added that even though nationally it is hard to get any approvals for new hotels, North Dakota and Bismarck are doing quite well and everyone involved feels this site location would do very well with a hotel and be a great addition to the market. Mr. Lanahan concluded by saying this is the only location that Holiday Inn would approve for a franchise because it is located on Highway 83 and they were very attracted to that site.

ADJOURNMENT

There being no further business Chairman Yeager declared the Bismarck Planning & Zoning Commission adjourned at 5:07 p.m. to meet again on March 24, 2010.

Respectfully submitted,

Kimberley Gaffrey
Recording Secretary

Wayne Yeager
Chairman

Major Permit Activity
February 2010

Non-deeded Owner:	Bismarck Public Schools
Address:	919 South 12th Street
Cost:	\$400,000.00
Description:	Main level interior remodel

DATE SELECTION 2/2010												
***** City ***** ETA ***** County *****												
Permit Type	2/2010		2/2009		2/2010		2/2009		2/2010		2/2009	
	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation
SINGLE FAMILY DETACHED	1	209,252.00	1	289,473.00	0	.00	0	.00	0	.00	0	.00
SINGLE FAMILY ATTACHED	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TWO UNIT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
THREE & FOUR FAMILY	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIVE & MORE FAMILY	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CONDO/TOWNHOUSE-1 HR.WALL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MANUFACTURED HOMES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	1	.00	1	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
GROUP QUARTERS	1	10,350.00	0	.00	0	.00	0	.00	0	.00	0	.00
STRUCTURE OTHER THAN BLDG	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
AMUSEMENT & RECREATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CHURCHES AND RELIGIOUS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
INDUSTRIAL	0	.00	1	12,000.00	0	.00	0	.00	0	.00	0	.00
RESEARCH & DEVELOPMENT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
AUTO SERVICE AND REPAIR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOSPITALS & INSTITUTIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
COMM (RETAIL SALES)	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER (PUBLIC PARKING GAR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER STRUCTURES	1	85,114.00	0	.00	0	.00	0	.00	0	.00	0	.00
PUBLIC BUILDING	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
ROOM ADDITIONS	0	.00	1	62,668.00	0	.00	1	21,465.00	0	.00	0	.00
RESIDENTIAL GARAGES	1	21,120.00	0	.00	0	.00	0	.00	0	.00	0	.00
PATIOS AND COVERS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
SWIMMING POOLS AND SPAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER	0	.00	8	71,100.00	1	500.00	1	5,200.00	0	.00	0	.00
HOME OCCUPATIONS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
STORAGE SHEDS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
BASEMENT FINISH	12	54,436.00	21	123,091.00	5	22,196.00	6	23,261.00	1	6,000.00	0	.00
INDUSTRIAL BUILDINGS	0	.00	1	34,850.00	0	.00	0	.00	0	.00	0	.00
COMMERCIAL BUILDINGS	0	.00	2	37,500.00	0	.00	0	.00	0	.00	0	.00

Permit Type	DATE SELECTION 2/2010											
	***** City *****				***** ETA *****				***** County *****			
	2/2010	2/2009	2/2010	2/2009	2/2010	2/2009	2/2010	2/2009	2/2010	2/2009	2/2010	2/2009
	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation
OFFICE & PROFESSIONAL BLD	6	438,672.00	12	2,211,303.00	0	.00	0	.00	0	.00	0	.00
OTHER	0	.00	3	194,708.00	0	.00	0	.00	0	.00	0	.00
ALTER PUBLIC	1	400,000.00	0	.00	0	.00	0	.00	0	.00	0	.00
APTS TO CONDO	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
RESIDENTIAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIREWORKS SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NURSERY STOCK SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TEMPORARY STRUCTURE PERMI	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CIRCUS/CARNIVAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE INTO PERMIT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE WITHIN PMT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NEW SIGN PERMIT	3	9,950.00	6	28,870.00	0	.00	0	.00	0	.00	0	.00
SIGN ALTERATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
ELECTRONIC MESSAGE CENTER	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
Permit Type Total	27	1,228,894.00	57	3,065,563.00	6	22,696.00	8	49,926.00	1	6,000.00	0	.00

		DATE SELECTION		2/2010			
		***** City *****		***** ETA *****		***** County *****	
		2/2010	2/2009	2/2010	2/2009	2/2010	2/2009
Permit Type	Permits	Permits	Permits	Permits	Permits	Permits	Permits
Plumbing	15	20	2	2	0	0	
Electrical	30	62	0	0	0	0	
Mechanical	52	82	10	17	2	1	
Drain Field	0	0	0	0	0	0	
Hood Suppression	1	1	0	0	0	0	
SprinklerStandpipe	0	4	0	0	0	0	
Alarm Detection	2	0	0	0	0	0	
Total	100	169	12	19	2	1	

DATE SELECTION 2/2010							
***** City ***** ETA ***** County *****							
Living Units	Units 2/2010	Units 2/2009	Units 2/2010	Units 2/2009	Units 2/2010	Units 2/2009	Units 2/2009
SINGLE FAMILY DETACHED	1	1	0	0	0	0	0
MOBILE HOME WITHOUT EXTRA	0	1	0	0	0	0	0
GROUP QUARTERS	1	0	0	0	0	0	0
BASEMENT FINISH	1	0	0	0	0	0	0
Total	3	2	0	0	0	0	0

BIP140-2	3/05/2010	MAJOR PERMIT ACTIVITY OVER \$350,000				PAGE	5
		DATE SELECTION		02/2010			
PERMIT LOCATION	PERMIT NUMBER	PROPERTY ADDRESS		OWNERS NAME CONTRACTOR		VALUATION	
CITY OF BISMARCK	2010-0000049	919 S	12TH	ST	JEANETTE MYHRE SELF/ONWER BISMARCK PUB SCHOOL	400,000.00	

DATE SELECTION 2/2010												
***** City ***** ETA ***** County *****												
Permit Type	2/2010		2/2009		2/2010		2/2009		2/2010		2/2009	
	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation
SINGLE FAMILY DETACHED	4	688,936.00	2	485,883.00	0	.00	0	.00	0	.00	0	.00
SINGLE FAMILY ATTACHED	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TWO UNIT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
THREE & FOUR FAMILY	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIVE & MORE FAMILY	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CONDO/TOWNHOUSE-1 HR.WALL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MANUFACTURED HOMES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITHOUT EXTRA	1	.00	1	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME WITH EXTRAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOBILE HOME MISCELLANEOUS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOTELS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
GROUP QUARTERS	2	144,700.00	0	.00	0	.00	0	.00	0	.00	0	.00
STRUCTURE OTHER THAN BLDG	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
AMUSEMENT & RECREATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CHURCHES AND RELIGIOUS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
INDUSTRIAL	0	.00	1	12,000.00	0	.00	0	.00	0	.00	0	.00
RESEARCH & DEVELOPMENT	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
AUTO SERVICE AND REPAIR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
HOSPITALS & INSTITUTIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OFFICE, BANK & PROFESSION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
SCHOOLS AND EDUCATIONAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
COMM (RETAIL SALES)	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER (PUBLIC PARKING GAR	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER STRUCTURES	1	85,114.00	1	60,000.00	0	.00	0	.00	0	.00	0	.00
PUBLIC BUILDING	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
ROOM ADDITIONS	0	.00	1	62,668.00	1	96,115.00	2	104,107.00	0	.00	1	4,000.00
RESIDENTIAL GARAGES	1	21,120.00	1	1,200.00	0	.00	1	22,400.00	0	.00	0	.00
PATIOS AND COVERS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
SWIMMING POOLS AND SPAS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
OTHER	9	661,163.00	12	291,224.00	3	76,500.00	1	5,200.00	1	5,000.00	0	.00
HOME OCCUPATIONS	1	.00	0	.00	0	.00	1	.00	0	.00	0	.00
STORAGE SHEDS	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
BASEMENT FINISH	20	92,534.00	34	196,800.00	10	52,979.00	17	83,938.00	2	12,650.00	0	.00
INDUSTRIAL BUILDINGS	1	5,200.00	2	104,050.00	0	.00	0	.00	0	.00	0	.00
COMMERCIAL BUILDINGS	4	194,100.00	4	144,500.00	0	.00	0	.00	0	.00	0	.00

***** City ***** ETA ***** County *****

Permit Type	2/2010		2/2009		2/2010		2/2009		2/2010		2/2009	
	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation	Permits	Valuation
OFFICE & PROFESSIONAL BLD	10	1,049,154.00	19	2,388,155.00	0	.00	0	.00	0	.00	0	.00
OTHER	0	.00	4	370,498.00	0	.00	0	.00	0	.00	0	.00
ALTER PUBLIC	1	400,000.00	0	.00	0	.00	0	.00	0	.00	0	.00
APTS TO CONDO	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TO/FROM RESIDENTIAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
RESIDENTIAL	0	.00	3	.00	0	.00	0	.00	0	.00	0	.00
OTHER	0	.00	1	.00	0	.00	0	.00	0	.00	0	.00
CHRISTMAS TREE SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
FIREWORKS SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NURSERY STOCK SALES	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
TEMPORARY STRUCTURE PERMI	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
CIRCUS/CARNIVAL	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE OUT OF PMT LOCATION	0	.00	1	.00	0	.00	0	.00	0	.00	0	.00
MOVE INTO PERMIT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
MOVE WITHIN PMT LOCATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
NEW SIGN PERMIT	4	16,950.00	6	28,870.00	0	.00	0	.00	0	.00	0	.00
SIGN ALTERATION	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
ELECTRONIC MESSAGE CENTER	0	.00	0	.00	0	.00	0	.00	0	.00	0	.00
	59	3,358,971.00	93	4,145,848.00	14	225,594.00	22	215,645.00	3	17,650.00	1	4,000.00

DATE SELECTION 2/2010						
***** City *****						
***** ETA *****						
***** County *****						
Permit Type	2/2010	2/2009	2/2010	2/2009	2/2010	2/2009
	Permits	Permits	Permits	Permits	Permits	Permits
Plumbing	29	30	3	2	0	1
Electrical	91	117	0	0	0	0
Mechanical	133	164	18	35	4	3
Drain Field	0	0	0	0	0	0
Hood Suppression	1	1	0	0	0	0
SprinklerStandpipe	0	4	0	0	0	0
Alarm Detection	2	0	0	0	0	0
Total	257	319	21	37	4	4

DATE SELECTION 2/2010							
***** City *****							
***** ETA *****							
***** County *****							
Living Units	Units 2/2010	Units 2/2009	Units 2/2010	Units 2/2009	Units 2/2010	Units 2/2009	
SINGLE FAMILY DETACHED	4	2	0	0	0	0	
MOBILE HOME WITHOUT EXTRA	0	1	0	0	0	0	
GROUP QUARTERS	2	0	0	0	0	0	
BASEMENT FINISH	2	0	1	0	0	0	
Total	8	3	1	0	0	0	